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10/691,287	10/22/2003	Brian J. Cragun	ROC920030187US1	2240

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ROCHESTER, MN 55901-7829

EXAMINER

PONIKIEWSKI, TOMASZ

ART UNIT	PAPER NUMBER
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2165

MAIL DATE	DELIVERY MODE
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01/08/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/691,287

Applicant(s)

CRAGUN ET AL.

Examiner

Tomasz Ponikiewski

Art Unit

2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9, 14-20, 22-24, 27 and 30-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9, 14-20, 22-24, 27 and 30-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Remarks

1. The Amendment filed on July 27, 2007 has been received and entered. Claims 1-8, 10-13, 21, 25, 26, 28 and 29 have been canceled. Claims 9, 14-20, 22-24, 27 and 30-34 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claim 24 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention.

Claim 24 is rejected for not having support for "tangible" medium. To amend the claim, the word "tangible" should be deleted. To meet the requirement "computer-readable storage medium" is enough.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2165

5. Claim 27 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 27 states "displaying annotations" in the preamble. The body of the claim never actually displays the annotations. There is no nexus between preamble and body of claim and it does not achieve the intended use of displaying annotations as recited in preamble.

Claim Rejections - 35 USC § 112

6. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claim 9, 14-20, 22-24, 27, 30-34 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 9, 17, 24, 27, 32 and 34 appears to limit the claim wherein the second view shows an annotation only if the annotation appears in the annotated portion of the first view. Therefore it would appear that the first view is stored and available to compare to the second view. Applicants' specification on page 12, paragraph 0040, shows that actually to determine if the annotations exist is to look up the link table or annotation records. The claims are missing the steps of recording and looking up whether the

annotation exists in link table or annotation record. This makes the claim confusing and difficult to understand.

Claims 14-16, 18-20, 22-23, 27, 30-31 and 33 are dependant claims and carry the same deficiency.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 9, 14-20, 22-24, 27, 30-34 are rejected under 35 U.S.C. 102(b) as being anticipated by Rubin et al. (US 2002/0099552).

As per claim 9 Rubin et al. is directed to a computer implemented method for providing an indication of an annotation to a portion of a first view of data, comprising:

providing an interface allowing display of a second view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information; wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use),

analyzing the second view of data to identify sub-objects visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17; paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory); and

providing an indication of the annotation in the interface, only if a predetermined set of sub-objects visible in the second view of data are visible in the annotated portion of the first view of data, wherein providing an indication of the annotation in the interface comprises displaying an icon proximate one or more sub-objects visible in the second view of data that are also visible in the annotated portion of the first view of data (paragraph 0006, lines 11-15; wherein in a subsequent view of data has icons indicating annotations directed to the selected record).

As per claim 14 Rubin et al. is directed to wherein more than one annotation is associated with one or more portions of data in the second view and separate icons for each annotation are displayed (paragraph 0078, lines 1-4).

As per claim 15 Rubin et al. is directed to the method further comprises displaying the annotation in response to a user selecting the icon (paragraph 0086, lines 9-12).

As per claim 16 Rubin et al. is directed to further comprising providing an indication of one or more sub-objects visible in the second view of data that are also visible in the annotated portion of the first view of data (paragraph 0078, lines 1-4).

As per claim 17 Rubin et al. is directed to a computer implemented method of creating and displaying an annotation associated with an annotated portion of a first view of data, comprising:

providing an interface allowing selection of the annotated portion of the first view of data and creation of the annotation, wherein the annotated portion comprises at least two cells visible in the first view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use);

creating an entry in a link table for each cell in the annotated portion, wherein the entry for each cell contains an indication of the annotations (paragraph 0084, lines 1-6);

creating a record containing the annotation and a link to each cell in the annotated portion (paragraph 0053, paragraph 0084, lines 1-6);

presenting a second view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information);

analyzing the second view of data to identify cells visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17; paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory); and

providing an indication of the annotation, only if a predetermined set of cells visible in the second view of data are visible in the referenced portion of the first view of data (paragraph 0006, lines 11-15; wherein in a subsequent view of data has icons indicating annotations directed to the selected record).

As per claim 18 Rubin et al. is directed to wherein the predetermined set of cells comprises at least one of:

all the cells visible in the annotated portion of the first view of data (fig. 3; paragraph 0005, lines 5-7);

a predetermined number of cells visible in the annotated portion of the first view of data (paragraph 0096, wherein the search determines the number of visible cells);

a specified set of cells visible in the annotated portion of the first view of data; and
a predetermined percentage of cells visible in the annotated portion of the first view of data (no art applied since the claim ask for at least one of the limitations).

As per claim 19 Rubin et al. is directed to wherein the predetermined set of cells is specified by a user via the interface allowing selection of the annotated portion of the first view of data and creation of the annotation (paragraph 0096, wherein the search

determines the number of visible cells, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use).

As per claim 20 Rubin et al. is directed to further comprising providing a mechanism for identifying the predetermined set of cells, wherein the mechanism is accessible by a human user or a software application (paragraph 0095, lines 1-8; paragraph 0096, wherein the search determines the number of visible cells).

As per claim 22 Rubin et al. is directed to wherein the entry for each cell contains an identifier uniquely identifying the record containing the annotation (paragraph 0088, lines 1-10).

As per claim 23 Rubin et al. is directed to wherein analyzing the second view of data to identify cells visible in both the second view of data and the annotated portion of the first view of data comprises:

querying the link table to identify one or more annotations describing views of data containing cells in the second view of data (paragraph 0069);

retrieving annotation records for the one or more identified annotations (paragraph 0069); and

identifying cells visible in both the second view of data and views described by the identified annotations, based on cell links stored in the retrieved annotation records (paragraph 0069).

As per claim 24 Rubin et al. is directed to a tangible computer-readable storage medium containing a program for associating an annotation with an annotated portion of a first view of data which, when executed by a processor, performs operations comprising:

providing an interface allowing a user to select the annotated portion and to create the annotation, wherein the annotated portion comprises at least two cells visible in the first view of data (fig. 3; paragraph 0005, lines 5-7 , wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use);

creating a link to each cell in the annotated portion (paragraph 0084, lines 1-6);

creating a record containing the annotation and the link to each cell in the annotated portion (paragraph 0053, paragraph 0084, lines 1-6);

displaying of a second view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information);

analyzing the second view of data to identify cells visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17;

paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory);

providing an interface allowing the user to specify a predetermined set of cells (paragraph 0010, lines 9-12; paragraph 0069, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if it's capable of performing the intended use);

providing an indication of the annotation, only if the predetermined set of cells that are visible in the second view of data are visible in the annotated portion of the first view of data (paragraph 0069; paragraph 0096).

As per claim 27 Rubin et al. is directed to a system for creating and displaying annotations associated with views of data, comprising:

a processor (fig 1, # 110);

an application for displaying views of data (fig. 1, # 196, wherein "for" is interpreted to be intended use language (see MPEP 2106 II C) and should be replaced with "to");

a storage medium for storing an annotation database for storing annotation records (fig. 1, # 170, #180, wherein "for" is interpreted to be intended use language (see MPEP 2106 II C) and should be replaced with "to"); and

an annotation system configured to:

allow a user to create an annotation for a selected annotated portion of a first view of data displayed by the application, wherein the annotated portion

comprises at least two cells visible in the first view of data (paragraph 0043, lines 1-7; paragraph 0050, lines 1-2 indicates that there may be more than one cells that are annotated, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use);

create cell links to each cell visible in the annotated portion (paragraph 0084, lines 1-6);

create an annotation record containing the annotation and the cell links (paragraph 0053, paragraph 0084, lines 1-6);

analyze a second view of data displayed by the application to identify cells visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17; paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory);

allow the user to specify a predetermined set of cells (paragraph 0069 wherein the search determines the number of visible cells, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if it's capable of performing the intended use); and

provide an indication of the annotation, only if the predetermined set of cells that are visible in the second view of data are visible in the annotated portion of the first view of data (paragraph 0069; paragraph 0096).

As per claim 30 Rubin et al. is directed to wherein:

the system further comprises a link table (paragraph 0059); and

the annotation system is further configured to create an entry in a link table for each cell in the annotated portion of the first view of data, wherein the entry for each cell contains an identification of the annotation (paragraph 0059; paragraph 0084).

As per claim 31 Rubin et al. is directed to wherein the annotation system is configured to analyze the second view of data displayed by the application to identify cells visible in both the second view of data and the annotated portion of the first view of data by:

querying the link table to identify the annotation (paragraph 0069);

retrieving the annotation record containing the annotation and the query links (paragraph 0069); and

identify, based on cell links contained in the annotation record, cells visible in the second view of data also visible in annotated portion of the first view of data (paragraph 0069).

As per claim 32 Rubin et al. is directed to a computer implemented method for providing an indication of an annotation to a portion of a first view of data, comprising:

providing an interface allowing display of a second view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information, wherein "allowing" is interpreted to be

intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use)

analyzing the second view of data to identify sub-objects visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17; paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory), comprising:

obtaining a set of sub-object links stored with the annotation (paragraph 0069); and

identifying sub-objects identified by the sub-object links that are visible in the second view of data (paragraph 0069), and

providing an indication of the annotation in the interface, only if a predetermined set of sub-objects visible in the second view of data are visible in the annotated portion of the first view of data (paragraph 0069; paragraph 0096).

As per claim 33 Rubin et al. is directed to wherein analyzing the second view of data to identify sub-objects visible in both the second view of data and the annotated portion of the first view of data further comprises:

obtaining, based on sub-objects visible in the second view of data, an indication of the annotation from a table (paragraph 0069; paragraph 0078, lines 1-6); and

wherein obtaining a set of sub-object links stored with the annotation comprises retrieving a record containing the annotation and the sub-object links using the

indication of the annotation obtained from the table (paragraph 0084, lines 1-5; paragraph 0086, lines 9-14).

As per claim 34 Rubin et al. is directed to a computer implemented method for providing an indication of an annotation to a portion of a first view of data, comprising:

- providing an interface allowing display of a second view of data (fig. 3; paragraph 0005, lines 5-7, wherein the examiner interprets the "second view of data" as subsequent retrieval of saved information, wherein "allowing" is interpreted to be intended use language (see MPEP 2106 II C) wherein the prior art meets the claim if its capable of performing the intended use);
- analyzing the second view of data to identify sub-objects visible in both the second view of data and the annotated portion of the first view of data (paragraph 0087, lines 6-17; paragraph 0088, lines 1-10, wherein when the item is viewed the system checks if the annotations exist in memory); and
- providing an indication of the annotation in the interface, only if a predetermined set of sub-objects visible in the second view of data are visible in the annotated portion of the first view of data, and only if each sub-object visible in the annotated portion of the first view of data is visible in the second view of data (paragraph 0069; paragraph 0096).

Response to Arguments

10. Applicant's arguments with respect to claims 9, 14-20, 22-24, 27, 30-34 have been considered but are moot in view of the new ground(s) of rejection.


Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tomasz Ponikiewski whose telephone number is (571) 272-1721. The examiner can normally be reached on 9:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Christian Chace can be reached on (571)272-4190. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Tomasz Ponikiewski
December 10, 2007



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